

WASHINGTON STATE GAMBLING COMMISSION

MINUTES PUBLIC HEARING FRIDAY, DECEMBER 16, 1994

Chairman Tull called the special meeting or order at 1:35 p.m. at the Poulsbo Fire Hall Meeting Room, in Poulsbo, Washington.

MEMBERS PRESENT: **ROBERT M. TULL, CHAIRMAN; COMMISSIONERS WANDA MOSBARGER and PATRICK J. GRAHAM; EX-OFFICIO SENATOR MARGARITA PRENTICE.**

OTHERS PRESENT: **FRANK MILLER, Director; CARRIE TELLEFSON SUTHERLAND, Special Assistant to the Director; BEN BISHOP, Deputy Director, JONATHAN McCOY, Assistant Attorney General**

Chairman Tull said that the meeting location in Poulsbo was chosen to accommodate those communities who are most potentially interested and affected by proposed class III compacts with the various tribes in Washington State.

Chairman Tull said meeting format outlined in the published agenda includes brief opening remarks, followed by review of the two proposed compacts negotiated between the state of Washington and the Port Gamble S'Klallam Tribe and the Suquamish Tribe. They will be introduced in an overview fashion by Frank Miller. Following the overview, representatives of the respective tribes will make comments to the commission, with public testimony to follow. The proposed compact amendments will also be reviewed and public testimony will be taken. The commission may act on the proposed compacts and amendments after review and testimony. **Chairman Tull** asked for any procedural questions from members of the commission. No questions noted.

Director Miller said that first on the agenda were two new compacts, one with the Port Gamble S'Klallam Tribe and the other with the Suquamish Tribe. The compacts are similar in nature and scope. Prior to addressing the compacts, Mr. Miller made brief comments regarding the procedures followed prior to the hearing.

He said local caucus meetings have been held regarding the proposed compacts prior to forwarding them to the commissioners and a legislative sub-committee. The joint legislative committee formed from both the house and the senate held a hearing on December 8, 1994. The committee was briefed on the compacts and the new nature and scope which is allowed under these agreements. Letters opposing the terms of the compacts relating to nature and scope were written to the commission by Senator elect Mike Heavey, Representative Barb Lisk and Representative Grace Cole. To date, those are the only letters of opposition received by the commission.

Mr. Miller said that during the course of negotiations with the tribes in this community, more so with the Suquamish government because of their situation with land ownership and the piece meal approach of their reservation, a lot of calls and concerns from the citizens in this community were received by the

commission. There have been numerous meetings with different people and small groups; including representatives from schools, the art school and several land owners. Through the meetings, the federal law was explained, as well as where the limitations of the Gambling Commission were with regard to negotiable areas. Mr. Miller told the members of the commission that there was some concern in the community about the proposed compacts. Predominantly the concerns are related to the Suquamish Tribe's unique geographic situation. The Port Gamble S'Klallam Tribe, having a different land base situation, did not raise the same concerns within their community.

Director Miller said that for the last five years the commission has been negotiating tribal-state compacts. The approach taken has historically been consistent with the gambling within the state of Washington. The commission has been successful to date in avoiding a full blown Nevada style gambling environment. None of the compacts or amendments authorize gambling devices or slot machines. Mr. Miller said that the commission does not have the authority to negotiate devices and will not negotiate them. Gambling devices and slots are strictly prohibited as a matter of law. Washington State has a lot of gambling. This includes the largest pull-tab market in the country, one of the largest charitable gaming markets in the country, horse racing, lottery and fund raising events, which include all forms of contests of chance. As such, there is an obligation to negotiate with the governments in this region and the commission has taken that obligation very seriously.

Mr. Miller explained that during the first two years of negotiations, a compact was formed that many have criticized, including many of the tribes, as being too restrictive, too limited. The commission believes that the initial compacts were reflective of state public policy, but more importantly, were reflective of the commission's abilities. The commission is one of the largest agencies in the country when it comes to gambling regulation, however experience with casino regulation was very limited at that time. The compacts presented today allow for greater scope and flexibility. The commission has gained greater level of experience in casino regulation and is in a position to better handle the responsibility than 2 1/2 years ago, when tribal gaming first started in the area of class III.

Mr. Miller continued with the compacts. He said the compacts allow for a phased-in operational system. There is a phase I and phase II to the level of the nature and scope of the operations that will be occurring. Nature and scope mean hours, wagering limits, number of facilities, number of gaming stations or tables that can be allowed in a tribal class III environment. Contrary to most states, Washington State has taken those issues as a way to control and mitigate the impacts on local governments and to mitigate the potential for corruption by having some control over the size and scope. These compacts are no different, they allow for greater limits than the earlier ones. They are still very consistent.

The compacts under phase I allow for one facility on the reservation. The facility will start out with a maximum operating potential in the area of class III of 112 hours per week, 16 hours per day. The tribe can best utilize their hours to fit their market needs. That means they can go up to 20 hours a day, but no more. It does allow for three weekends a year to allow 72 hours continual. That is consistent with the fund raising event law currently in the state of Washington which allows for a 72 hour continual event. The wagering limits during phase I are \$250, which means the tribe will set those limits to best fit their market and the types of games they are offering. The number of gaming stations in this facility will be thirty-one plus one charitable table for the charities in the community. There is a method set forth to distribute those funds to charities that, for the most part, would no longer be able to have fund raising events. The tribes are trying to give something back to the community. Those are the major areas for phase I. At the end of phase I, or six months, staff of the gambling commission will conduct a major

review of the operation. The way this system is set up, the commission plays an active role in the regulation of this activity. The commission and the tribal governments work side by side in this arena. The tribes reimburse the commission for the costs incurred for regulation of their facility. Washington is currently the only state to have that kind of relationship and it is taken very seriously.

Mr. Miller explained that the established criteria must be met before the tribe may go to phase II. The criteria includes the following:

- (1) There have been no violations of the provisions of the compact that have resulted in sanctions imposed by the federal district court.

Which means a major violation that would possibly result in an injunction, which is the remedy available in the event that we're unable to resolve the issue.

- (2) There have been no substantial and repeated violations of the compact section pertaining to nature and scope of class III gaming, licensing and certification, and tribal regulation which is set forth in the Appendix.

The intent here was that if there are repeated or substantial violations of the compact then the operation would not be able to go to phase II. That is the intent of the negotiators. Mr. Miller acknowledged that there has been some concern with the language and that a change or clarification may be in order.

- (3) There have been no material adverse impacts on the public safety or welfare of the surrounding communities in the nature of criminal activities directly related to the operation of the class III gaming facility.

This is a very critical point. If, as a result of these operations, there is a tremendous increase in criminal activity, the need to go forward to phase II would not be in the public interest. That is an additional item that would be monitored. So far, given the level seen with the three casinos currently operating, the Nooksack, Tulalip and Swinomish, there has been no substantial increase in criminal activities. There have been calls for assistance, additional thefts, etc. That is going to occur in any facility, as it also occurs in many businesses. The size and scope have kept those incidents down to a minimum.

- (4) The tribal gaming agency has developed a program of regulation and control demonstrating a level of proficiency sufficient to protect the integrity of the tribal gaming operation, which includes the hiring and training of tribal gaming agents, independent management and reporting structures separate from that of the gaming facility. There must be a system for the reporting of compact violations and the consistent presence within the gaming facility.

Each tribal government has language which best fits their needs. The intent is, in going to the higher level, that there be an even greater commitment to the regulation from the tribal government. So far the tribes have made a very strong commitment. The tribal gaming agency is primary regulatory body, with the state providing regulatory assistance in partnership, but the tribal agency is there every minute that the facility is open. This requires the commitment of resources and development and that will be monitored from the state gambling commission perspective.

Mr. Miller explained that if the tribe has met the established criteria, they are able to go to phase II. Phase II also allows for one facility, the number of tables go from thirty-one plus one to fifty tables plus

two for charities. The hours are being increased from one hundred and twelve per week to up to one hundred and forty hours per week. This is consistent with the cardroom operations in the state which is twenty hours per day. The wagering limits would be five hundred dollars maximum, set by the tribe to each individual station. The key to this agreement and what is unique about the proposals is that in exchange for this we have negotiated a three year moratorium from the date of these amendments and compacts to not come back to the table on the issue of wagering limits, numbers of tables and hours. A twenty-four hour operation is different than a twenty hour operation. From a regulatory standpoint the closure and the opportunity for the inventory count is very important on a daily basis. The number of facilities will remain intact for a three year period. Unless state public policy were to change and laws were to be expanded that would result in competition or to some degree would allow for greater levels than what are currently there, or the federal courts were to grant or rule in some way that would require re-negotiations, the moratorium will remain.

Mr. Miller proceeded with discussion regarding the relationship between the state gambling commission and the respective tribes. Every gaming employee in the tribal operations will be certified by the state gambling commission and will be licensed by the tribe additionally. That means there is a specific set of criteria which designates who may participate in the gaming employment, management or operation of these facilities. If the individuals or companies do not meet the criteria, they do not participate. Unless the state gambling commission approves they will not participate. Unless the tribal government approves, they do not participate. That is the first prong of the regulatory process, which serves to keep the game clean from the ground up. This includes suppliers, employees, management companies and financiers. All must go through the gambling commission's financial investigations unit and then tribal review. That is step one. Step two is the ability as representatives of the state gambling commission to go in and monitor the terms of these compacts at any time. There is unrestricted access to enforce the terms of this compact. There is a hand in hand relationship with the tribal gaming agency in doing this which provides the state concurrent jurisdiction. This provision in the compact allows the state to enforce not only the terms of the compact but, incorporated into the compact, many of the criminal laws of the state of Washington as they pertain to gambling. These are the only compacts in the country to do this and they have been successful. For example, when a theft occurs in the casino the commission has the ability to charge under state law and get a prosecution in a timely fashion. That is a very important factor that was negotiated in this process. Once again, absent a tribal-state compact, the state has no jurisdiction in the area of gambling on tribal lands. The compact brings this relationship forward, and provides the state gambling commission the ability to enforce the terms of the document and those state laws that are incorporated herein.

Mr Miller said the compacts also provide for a mandatory community contribution. Both of the proposed compacts require committees to be formed with representatives from the county, the tribe and the state gambling commission to examine the impacts on the community for emergency services, law enforcement and other areas. The committee will look at those impacts and disburse funds in a timely manner. The state has no ability to negotiate a tax, that is a question that always comes up under these proposals. This is a contribution. IGRA allowed for monies to be given to local governments and this is one way to mitigate the impacts. Up in Snohomish County over the last two years, the county and the City of Marysville have received somewhere around six hundred thousand dollars from the Tulalip government to offset impacts associated with the casino. It has proven to be a very successful program. The Nooksack Tribe has also made a contribution to the sheriff in Whatcom County. This serves to establish a partnership, not only with the gambling commission and the tribe but the county and the tribe as well.

Mr. Miller commented that the state believes it has reached a position in development and a greater understanding to go to the level being discussed. Many tribal governments cannot use the hours that are listed or the number of tables. There will not be many five hundred dollar wagering limits because most people do not bet that kind of money. The compacts provide greater flexibility to the tribes to best meet their specific market situation.

Mr. Miller said that about six months ago, at the request of many of the tribes present, there were meetings between the governor, the attorney general, Chairman Tull and myself from the commission and Senator Prentice regarding the earlier compacts and the earlier limits that were negotiated in them. The issue of machines was also addressed. Clearly the tribes want machines, everyone wants machines, they are a very profitable item. However, they are strictly prohibited and not subject to negotiation. The governor, the attorney general, Senator Prentice and Chairman Tull made it clear that machines are not negotiable and will not be negotiated. The governor did request the gambling commission to look at current limits and seek ways to give the tribes greater flexibility without changing the nature of the gaming involved. The proposed compacts and amendments provide that flexibility in a way that will allow tribes to utilize the adjustments in a way which best fits their needs. For example, on a weekend when they could use more tables, they have the ability to open more tables up. Friday, Saturday and Sunday when they can operate extended hours they may do so. Monday, Tuesday and Wednesday they probably won't have the market in some locations. Mr. Miller acknowledged that some tribes have better locations than others. Those tribes along the I-5 corridor, for example, are in a better position than some on the coast. The proposals are a way of providing the flexibility for the individual tribe to accommodate their own location and market situation, while remaining consistent with the policy of the state.

Mr. Miller asked for questions from commission members and Senator Prentice.

Chairman Tull said the state will certainly have an ongoing opportunity for participation.

Senator Prentice commented on some of the reactions which have occurred as a result of the proposed new compacts. Ms. Prentice stated that she was a member of the task force on gambling in 1993, and that the task force's position was made clear at that time that it did not wish to see a major expansion of gambling and some of the reactions are due to this position. The task force stated that as a matter of public policy the state would not become similar to Nevada. Some extremely minor adjustments regarding the operation of card rooms were made, but the message was very clear. That was in 1993. A year later the terrain has changed substantially. There have been a lot of events, a lot of things that have occurred, a lot of additional discussions between the tribes and the state of Washington and the gambling commission.

She said that one of the observations made in regard to the tribes is that for too long the tribes have been dependent on very limited resources. These resources have amounted to bingo, selling cigarettes and fireworks during the season. The opportunities have been extremely limited. It was not necessarily the choice of the individual tribes that the law was passed in 1988 which permitted casino gambling. From many discussions with tribal leaders and tribal members it is evident that there was a lot of soul searching as to whether individual tribes even wished to get into gambling. Individual tribal members and tribes as a whole are as mixed in their reaction to dependence on gambling as anyone else is in the state of Washington. It is clear, however, that they saw this was an economic opportunity that many of them simply felt they couldn't pass by. The obligation then was for the state to negotiate in good faith. That is what creates the crunch between some of what the public perception is as to what should and shouldn't be done and what some of the legislature believes. It is absolutely important that the state deal in a very

honest, open and straight forward manner with those tribes that have been willing to work with the state, the compacted tribes. The pressure on them has been immense to participate in the installation of slot machines and bypass the state entirely. Senator Prentice noted her admiration and respect for the tribes for their willingness to hang in there through some very difficult times. The state's view is that the majority of the people within Washington State do not want slot machines. The concern is that the machines would not be restricted to the tribes, because there would be great pressure on all communities.

Senator Prentice that she did not wish to have slot machines in the few gambling operations that exist in her neighborhood and that she was not alone in her views. For those who do not like gambling, the fact is that people will gamble. They will find a way to gamble. For those who believe that the state has been too restrictive, the demand from the public and the legislature has been for restrictions. This is versus the public wish to play. One of the wise aspects of this proposal now is the three year moratorium. She said that there observation to see how things work, but it also means less time will be spent re-negotiating and amending. Like any other person in public office, she stated that they look at opportunities to save money.

Senator Prentice stated that there is an obligation to reward those who have negotiated with the state in good faith. They did not put themselves in the positions of having to rely on gambling as revenue by themselves. This was not their own creation. Having visited reservations, she stated that she respected and appreciated the tribal commitment to schools, to health of the tribal members and most importantly, to future economic development. The state must deal with the tribes in a government to government manner and with respect. The state is obligated to protect the public interest, but the tribes must be encouraged to support themselves.

Chairman Tull thanked Senator Prentice for her comments and said that he thinks her remarks are appropriate and shared by many of the legislators and he shares them as well. He asked for further comments from the Commissioners. No comments offered.

Chairman Tull asked to proceed to the audience participation portion of the meeting. He indicated that this would start with representatives of the respective tribes making comments regarding the compact and then take questions or comments from commissioners. Following the testimony from the tribes, comments or questions will be taken from the audience. He noted that there was a generous time allowance to accommodate this portion of the meeting. He asked who appears before the commission on behalf of the Port Gamble S'Klallam Tribe. **Ron Charles** identified himself as representative of the tribe.

Chairman Tull thanked Mr. Charles for his participation and asked him to proceed.

Ron Charles identified himself as a council member with the Port Gamble S'Klallam Tribe and introduced **Kathryn Nelson**, the tribe's attorney. He also introduced tribal **Chairman Jake Jones**. Mr. Charles said he appreciated the comments of Senator Prentice and that he concurred with a lot of the sentiment which she expressed. He said she was right on in a lot of her comments. Mr. Charles acknowledged that Senator Prentice had obviously done a lot of research and that she was well informed.

Mr. Charles stated that he was present to urge that the commission accept the compact between the Port Gamble S'Klallam Tribe and the state of Washington. He said that the tribe was anxious to move forward with the compact and was looking forward to starting with the economic development opportunities that the compact would open up for them. The tribe accepts the responsibilities to meet the obligations of the federal law under which the compact is negotiated. He stated that the tribe intends to run a fair and safe

operation for the benefit of all. He thanked the commission for giving him the opportunity to speak and asked for questions.

Chairman Tull thanked Mr. Charles for his comments and asked him if the tribe knew when the facility would be built and if they had a likely site in mind. He noted that if it was inappropriate to disclose that site he would respect the tribe's judgement.

Mr. Charles responded that the tribe did not know when, it will be a matter of how long it takes for them to jump through all of the hoops, but as far as a location, there is an area on the reservation where the tribal businesses are located now on the Hansville Highway, and it will be somewhere in that area, but is not pin pointed at this time.

Chairman Tull asked whether the tribe was presently operating a bingo hall.

Mr. Charles responded that they were not.

Chairman Tull asked that Mr. Charles and Ms. Nelson look on page 14 of the compact, paragraph number two. He proposed the first clause, "If there have been no substantial and repeated violations...." be changed to read "If there have been no substantial or repeated violations...", as he believed that repetition of inappropriate activities is a serious matter in terms of the step up to the next phase of operation. He proposed the substitution of the word or for and in this provision, and to end the sentence after the word "compact" in that same clause. Chairman Tull noted that he did not believe that it had any substantial impact on the expectations of the parties, but he felt that the proposed language changes would make it very clear that the tribe would only go forward if the operation had been first rate.

Kathryn Nelson responded that the tribe had a bit of advanced warning prior to the meeting that this language was a concern. She said it had always been the tribe's intent, and in earlier drafts their proposal, that there be a simple statement that they would not be elevated to a more expansive level or a level with more flexibility unless and until they had been able to demonstrate that there had been no breaches of the compact entered into. She stated that the tribe had no objections to the slight rewording or the deletion proposed to the phrases mentioned. She said the tribe expected to abide by the compact and they know the commission also expected to abide by the compact.

Chairman Tull said he appreciated the tribe's response and added that the slight change in language would apply to many or perhaps all of the others today. He added that all parties would have the opportunity to comment on the proposal.

Chairman Tull directed attention to page 55 of the Port Gamble S'Klallam compact. Paragraph number seven. The first sentence, after several lines, ends with the words "those entities". He stated that he believed a word or words were left out. Discussion followed.

Mr. Miller stated that he would check out the possibility of a typographical error and if so, the error would be corrected.

Chairman Tull asked the parties to turn to page 50 of the compact. At the bottom of the page, the paragraph that starts "At any time...". The second sentence, which has to do with what can happen in terms of re-evaluation of community contribution, appears "In the event that the state and tribal gaming agencies mutually agree that there can be a reduction...". He clarified that it was his understanding, that in this instance, mutual agreement is what the clause clearly says. He said it appears that it is not subject

to the substituted decision of an arbitrator.

Chairman Tull asked for any disagreement with his interpretation be stated for the record.

Mr. Miller responded that it was his intent that absent mutual agreement, the community contribution would stay as is. He stated that there was a mechanism for distribution that requires that the contribution be made earlier on by the three member committee, so the negotiators did not feel that arbitration was an issue on the reduction element of the contribution. He added that there was a great deal of discussion between the state and tribal negotiators on this point.

Chairman Tull asked for further comment on the issue from the tribal attorney.

Kathryn Nelson responded that the tribal and state representatives agreed to the language as it stands and the tribe would hesitate now, in advance of any controversy that would come up, to try to put on the record any particular position of the meaning of that language. The tribe's position was that the language clearly stated that if and when there was mutual agreement that the contribution be lowered, that it would indeed happen. She state that there was certainly mutuality in the language of the compact itself.

Chairman Tull said that he had been concerned in a number of previous compacts with the whole question of the durability of the arrangements surrounding the community contribution. He said he was strongly supportive in having the tribe have a substantial say in how the funds are used in their community, but he did not want there to be the impression to the community that there would be a contribution and then a year or two later have that contribution removed by some arbitrator. If it were to be removed then it would be because everyone who was familiar agreed that it was not any longer the appropriate solution. He thanked Ms. Nelson and asked for further questions from the commission.

Commissioner Graham asked how many tribal members there were in the Port Gamble S'Klallam Tribe and what the principal income was at the present time.

Ron Charles responded that there were about 900 tribal members and the tribe has a number of sources of income such as a store, mobile home park, gas station and quite a few fisherman in the fisheries program.

Chairman Tull asked for further questions and if any comments of the commission members or Senator Prentice had prompted further comments from the tribal representatives. In the absence of further comment from commission or tribal representatives, Chairman Tull asked for audience participation or comment. He noted that the questions or comments may be directed to or answered by either the commission or the tribe. He reiterated that it was a public hearing and was intended by the commission and the legislature to make sure that those who have questions or opinions have an opportunity to share them in person. He acknowledged that the commission had received a few written comments and noted that they were appreciated.

Chairman Tull asked for those who wished to speak to come forward.

Chairman Ron Allen of the Jamestown S'Klallam Tribe addressed Chairman Tull's amended language to the conditions for elevation to phase II. He stated that the issue was if there are repeated minor problems, whether or not they are going to be a problem in terms of whether or not the tribe would be able to proceed to the next phase. Referencing the sections was intended to identify the areas which the tribe

considered areas of concern that they have agreed upon in the compact. He said that the main thing the tribe wanted to avoid was the intent that if there were substantial problems or violations, there would be substantive impact of the actions, whatever they were. The tribe does not want to get into a quibbling issue in terms of advancing the compact. Mr. Allen asked that, since Port Gamble would be setting a standard in that area, rather than having the Jamestown Tribe come back and argue the matter later, he suggested it be settled without delay.

Chairman Tull acknowledged Mr. Allen's concerns and stated that he wanted to make it clear that the way the language reads in several agreements requires that something be both substantial and repeated. He said that was totally unacceptable to him and that he would vote against each and every one of the compacts and amendments with that phrase in it. He then proposed making it clear that the step up was only to occur after a smooth running period. Arbitration may apply in situations where there was disagreement as to whether a violation was substantive or minor, but these are not minor issues. He stated further that he wanted it to read that if an organization were to just not be paying attention then the step up would not take place. He said that if there are a lot of little things that are being repeated and there is no correction being made, then it was his intention that the step up not take place until those items were cleaned up and mediation of that issue had been dealt with.

Chairman Tull said that in terms of the commission wanting to use the proposed language or any other language as an excuse to nickel and dime any of the tribes, that was not the intention of the commission and would be grossly inconsistent with the approach the commission has taken with any of its licensees and certainly with the tribes with whom it has been working with over the past several years. But clarification of the issue is a valid question.

Chairman Allen said that the Jamestown Tribe wanted to make sure that it was clear for the record in terms of how this provision will be implemented. He stated that they agree with Chairman Tull in that they do not want to avoid these issues until the time when the tribe wishes to go to phase II or perhaps even further.

Chairman Tull stated that the leadership of the tribes needs to turn to those who manage the operations and those who regulate for the tribes the operations and insist that they get it right quickly and keep it right and reiterate to them that the tribe wants to progress as the business needs require. He said that he felt the clause was intended in the spirit which the tribe would want it to be intended and would not be a difficulty for the tribes that are minding their business.

Chairman Allen concluded his questions by stating that the integrity of the operation and the accountability was of mutual intent and objective. He said they could all agree with that and also that the tribes have something to prove to the general public. They have to walk a line that exceeds even what is expected in the industry and they intend on doing it. However, the tribes do not want to get into the nickel and dime situation.

Chairman Tull stated that he would not raise that type of a change at this stage if he did not believe that its thrust was contrary to the tribe's intentions.

Doreen Maloney with the Upper Skagit Indian Tribe said that they understood the differences between substantial and repeated and the language of substantial or repeated. The suggested change was in item number two, ending the sentence after "compact". She said when they looked at the way that particular section was structured, the negotiators tried to back bracket those very things which were at the heart of the issue; the scope of class III gaming, licensing, the certification process and tribal regulation. She said

the intent was to specifically set out those sections. They are the heart of the agreement. For that reason the negotiators agreed that when there are those kinds of violations, the operation was at risk and the tribe acknowledged it. Both governments and the communities should be concerned with those issues. The tribe's concern with this language was, that without addressing and spelling these out, the commissions change, staff changes and the tribe has at least three years under this document and there could be all kinds of arguments as to what the negotiators meant. The compact is fairly large and these areas are the heart of the agreement, the things that the tribes must deal with; the scope, licensing, certification and regulation. There is a lot of concern about this.

Director Miller commented that the language was the state's offer that was put in when the phase I/phase II approach was adopted. The sections specified are those that pertain to the tribal role.

Chairman Tull said it would be prudent to adopt an unspecified section and determine if there really needs to be concern about it. He said that he could not imagine that there would be problems in the other sections. The commission's purpose is to be as emphatic as possible in the language so that there is no misunderstanding about the importance of very high levels of regulatory and operational compliance.

Harry Chesnin, general counsel for the Chehalis Tribe and Upper Skagit Tribe, stated that he participated in the negotiations with the state and agrees with the Upper Skagit Tribe in terms of the intent between the parties when they negotiated that particular provision. With respect to regulations and the regulatory aspects of the compact, both the tribes and the state were concerned with substantial compliance. As such, they called out with specificity the portions of the compacts that would be subject to careful scrutiny before a tribe could go to any higher level of gaming. The problem with ending the sentence after the word "compact", is getting into a matter of interpretation, particularly getting into a matter of interpretation again. For example, when reviewing the Suquamish compact and reviewing one of the non-specified sections, it includes access of the gaming agents to the records of the casino. There could be envisioned a situation where records could be locked up at a particular time and a gaming agent could show up and certainly have the right to look at those records, however it might be a time when someone was on a break or something else. Repeated violations of that problem in a six month period, and since it was never determined what repeated violations meant, would mean that given a different commission or executive staff, there could become a conflict between the tribe and the state over whether a tribe could go from thirty tables to fifty tables. That wasn't what was intended by the tribes, or by the state. What was intended was that the tribes weren't violating the hours of restriction, they didn't run more tables than they were entitled to run, they weren't running unauthorized games. Those kinds of serious regulatory problems.

Chairman Tull asked whether or not it would be a serious problem if the tribal operation was giving the state agents the run around in terms attempting to get records.

Harry Chesnin responded that it was conceivable that three violations, three attempts in six months could be deemed under the regulation as being repeated. Repeated, by definition is something more than once. That, the tribes would argue, would be diminimous. That, the tribes would argue, would be serious if the tribe never made the records available. That wasn't the hypothetical. The hypothetical is the records are available, the various parties have the opportunity to get there but because of some measure of inconvenience in a particular time frame there shows up a pattern of not being able to get to an agent on Sunday afternoon at 4:30. That is the kind of conflict we are trying to avoid. That is why the tribes were specific in negotiating that provision.

Chairman Tull said that he could think of other situations outside of these arenas where what you want is the ability to ask for financial records at an inconvenient time. Because if it is really convenient, then people have a chance to continue whatever subterfuge they may be engaging in for the purpose of stealing from the game or otherwise kinking things.

Harry Chesnin responded that he understood what Chairman Tull was saying, but that under the regulatory framework of both the tribe and the state, the likelihood of that occurring, particularly since the tribes are also regulated under the Indian Gaming Regulatory Act and the federal government. Another example would be that a number of compacts have provisions for carding individuals at the door. Mr. Chesnin said he wasn't sure whether that falls under the purview of the sections being discussed or not, but if, for instance, three individuals slipped by in a process, that would be a matter of concern for the tribe and that would be a matter of concern for the state. Theoretically, potentially a repeated problem, but not the kind of concern, I think that is expressed by this provision. As long as the tribe was regulating and trying to carefully regulate there would always be a little slippage in the system. There is a lot of give and take between the commission staff and the tribes already. A lot of working together. However, the tribes are looking for a specific set of standards against which to hold themselves and against which they will be held. To put a period after the word "compact" means that the entire document becomes much more a ground of dispute than it is the regulatory aspects that the tribes are looking for and the state was looking for.

Chairman Tull said that if the state were going to be unreasonable and nit picky in the evaluation as to whether the tribe may go forward, couldn't that be done within the sections that are enumerated?

Harry Chesnin agreed that it was always conceivable but that was what the tribes negotiated and accepted as the rules of the process.

Chairman Tull stated that he recognized that following the commission's action on this date that if a change is proposed the tribes would have to decide whether they wish to accept that change.

Harry Chesnin noted that he thought that the tribes, when they looked at changing the language about changing "and" to "or" certainly understood that and understood that it wasn't the intent of the tribes to try to change the ground upon which everybody is playing. It was the intent of the tribes to maintain a solid regulatory process and to be willing to be scrutinized. But the tribes have always felt that the scrutiny be fair, but there must also be disclosure of what that scrutiny is going to be so that the tribes can measure their own performance and know exactly what it is that will be under discussion. If it is merely a period after the word "compact", that begins to grey out the whole process for the tribes. That is not either a favorable process, because it will lead to broader arguments or discussions and is also something that would serve as a source of friction between the state and the tribes, which is something the compact amendment is really intended to alleviate.

Kathryn Nelson responded she acknowledged that the situation was unusual and that she agreed with everything that Ron Allen, Doreen Maloney and Harry Chesnin had stated, however the problem she had was that the way the clause was previously written, with singling out specific sections and especially singling out in the Port Gamble S'Klallam compact, Appendix A, which has a plethora of opportunity to nickel and dime. She felt that putting the period after "compact" better expresses the intent of all parties that were heard today. That is that the discussion was about substantial violations of the compact. In other words, it is not working. The joint understanding and communication in order for the tribe to run their gaming operation is somehow seriously flawed. She felt that by ending the clause at "compact" the

emphasis was on a substantial and serious flaw, whereas by leaving repeated in juxtaposition with Appendix A, there was a concern that the nickel and diming which has been previously expressed. The same language can be interpreted differently, but what is important is that all parties have expressed agreement on the same issue. If it is not working, then there should not be further flexibility. The intention is to get it right with the first regime. If there are things that need to be communicated about if the drop box key got put in slot A instead of slot B that is not something that cannot be remedied or that really are a major cause for concern.

Director Miller commented that during the past two and one half years there has been no evidence that the commission agents have in any way formally noted frivolous violations. Certainly items will be pointed out, but this does not constitute a serious violation. The commission must be willing to go to an arbitrator in the event that the commission decides not to elevate a tribe to the next phase and substantially defend that position. The intent was as Ms. Nelson stated, that if there are important, serious things, obviously, but they are of a repeated nature where the commission believes that the situation was broken and that the tribe should not go forward. The commission must also be able to defend that position in front of a third party and that is put forth in every compact and amendment before the commission today.

Chairman Tull added that he wanted to clarify that there would be ongoing opportunities to comment on this issue. The purpose for the meeting on this date is to hear tribal and public comments on these issues.

Doreen Maloney noted that when Chairman Tull brought attention to the language in question and proposed the changes he was calling for a higher standard of performance than is required in the rest of the document.

Chairman Tull agreed to take that under advisement. Hearing no further comments regarding the Port Gamble S'Klallam Tribe, Chairman Tull moved forward to discuss the Suquamish Tribe's Compact and introduced representatives of the Suquamish Tribe.

SUQUAMISH TRIBAL PRESENTATION

Marion Foresman Boushie, Vice Chairman of the Port Madison Enterprise Board, which is the economic development arm of the tribal council. **Michelle Hansen**, assistant tribal attorney for the Suquamish Tribe, said she was on the negotiating team for Port Madison Enterprises.

Ms. Boushie said they'd like to convey to the commissioners their gratitude to the Commission for the positive relationship between the compacting negotiation team and the Commission staff, Frank Miller and Carrie Sutherland. What started out as an adversarial relationship turned out to be a positive experience in working with the state of Washington. She thanked Senator Prentice for her comments regarding the Tribe's right to self-determine its future and the importance of understanding the Tribe's sovereignty. She said Mr. Miller and Ms. Sutherland worked hard to see the Tribe's side and find a compromise. **Chairman Tull** said the Commission appreciates the comments regarding Director Miller and Carrie Sutherland and said they appear to be doing what the Commission has asked them to do.

Michelle Hansen said she'd like to address the concerns and comments regarding page 20 of their compact, number two. This is the same language found in the Port Gamble S'Klallam compact. She said that at every point, the Tribe's negotiating team tried to push the limits of state regulation, scope and nature of gaming past what the state's instructions to Director Miller. Specifically in the first six months in phase one, the Tribe wanted to begin right at phase two but had to compromise. During phase one, the Gambling Commission must contact the Tribe before coming to the facility. She said the Tribe would prefer to keep the language of the second part of the sentence in the compact. They have no objection to changing the "and" in the first line to "or" (from "substantial and repeated" to "substantial or repeated violations"). The second part they'd like to keep the same as written.

Chairman Tull said his view is the same as previously stated. He said that the reason for this hearing is to hear from the Tribes and to give the Commission a chance to look closely at the language and think about it in terms of all the various interests and points of view. He feels that the second change is important. **Ms. Hansen** gave the example that the Tribe has not decided whether or not to serve alcohol, and if there is a legal violation regarding alcohol sales, that is beyond the scope of the compact.

Chairman Tull said he would be more convinced if she could use the example of drug sales to prove her point, since would also be beyond the scope of the compact as well. **Ms. Hansen** said when it comes to drug sales, which is clearly an illegal activity both by state and reservation laws, and there is not going to be a situation where the tribal council takes drugs sales as a light matter. She said there wouldn't be a conflict between the agent from the state, police and from the tribal police on such an issue. **Chairman Tull** said there have been times with licensees when it takes a long time for the regulatory body to get the attention of the operator, particularly if a manager has been removed.

Director Miller said that in the event of increased drug trafficking, thefts or burglaries in the community, that is covered in a separate provision in the compact. **Commissioner Graham** asked how many tribal members there are and about the principle income; **Ms. Boushie** said there are about 600 members, and they have a new bingo hall; a liquor, gas, and convenience store; fireworks sales run by individuals but taxed by the tribe; and shellfish and salmon sales. **Chairman Tull** asked about the proposed location of a facility; **Ms. Boushie** said no comment. **Director Miller** said this has been a concern for local residents and asked if any sites previously discussed have been removed from their list; **Ms. Boushie** said no. **Mr. Miller** said under federal law, once a compact has been approved, it is the Tribe's right to locate its facility where it so chooses on reservation land. **Ms. Boushie** said they are in negotiations now with several different developers, and it is to the Tribe's advantage to not disclose potential sites. If they were considering a bingo hall site, they would not disclose those plans either. She said they are still up in the air on an actual location for the casino.

Commissioner Mosbarger asked if they have projected the opening date; **Ms. Boushie** said the projection is for Fall of 1995. **Ms. Nelson** said that since the last community meeting, the tribal chairman and several tribal council members have had meetings with various community groups, and this is an ongoing process of working with the community and keeping them informed. **Ms. Boushie** said the Tribe hopes the community understands how important it is to the Tribe to keep the public informed. The Tribe must think first and foremost about its own people, but since the tribal lands have more non-Indians living there than Indians, the Tribe understands the importance of finding a site suitable to all of the community.

Chairman Tull said the Commission is pleased that the several casinos already in operation are running smoothly and should be a comfort to potential neighbors of other facilities. So far they have not been particularly troublesome, and he can think of a lot of other land uses that would likely be even more

controversial. **Ms. Boushie** said they understand the Tribe cannot be successful in this venture if the community does not support them. The community supports the bingo hall, and the Tribe knows it's important to include the community in the plans. She said they are a sovereign nation and have the right to make those decisions.

PUBLIC COMMENTS

Harry Cooper, Nooksack Tribe, said that what the casino does for the surrounding community needs to be pointed out. When the Nooksack Tribe began negotiating, it had people fighting them in every direction because they were worried about organized crime and other negative elements. But in their organization, there were 260 employees and only 80 Natives were working there. In the long run, about 500 jobs were created in their community by opening of the Nooksack Casino.

Dean Fugi, Poulsbo community member, thanked the Commission for doing a good job in presenting the issues; he thanked the Tribe for involving the community in the discussions. He said he lives within the boundaries of the Suquamish Nation by the Agate Pass Bridge. He said it's a unique community in that there are more non-Indians than Indians within the boundaries of the reservation, and the land is very "checker-boarded." Of the potential sites the community is aware of, they are adjacent to substantially non-Indian communities. They would like continued consideration when casinos can be built with no size limitations as far as the building goes, since it will be adjacent to private residential homes and will have a major impact on the community. He believes the Tribe will manage the crime issues adequately, but he is concerned with the non-crime issues that are not addressed by the Gambling Commission or in this forum. Without a site being specified, it's difficult to understand how the 140 operating hours will affect its neighbors. He asked the Commission and the Tribe to keep the community informed and let them participate in the process and in monitoring the operations. **Chairman Tull** said that item three in the phase two section of the compact gives the Commission a chance to see how the first phases of the operation are going before moving ahead.

Sen. Prentice said the state is in a squeezed position in that the federal government has required negotiations in good faith, and if those don't occur there are other steps that can occur. The community-at-large has really not often had to deal with tribal governments as sovereign nations and frequently has not comprehended what sovereignty means. When the law first took effect, the impact on various communities such as traffic and Sheriffs' departments, emergency departments was of concern. Those issues are addressed in the various compacts.

Mike Coles, 14822 Sandy Hook Road, Poulsbo, said the community is concerned about the three sites being proposed, one is next to the bingo hall, one is next to the Northwest College of the Arts, and the third is next to his housing development, which is the Sandy Hook Development where 65 or so families reside. He said he opposes the possibility of locating a casino near the Sandy Hook Development.

William Thompson, also a resident of Sandy Hook Road, said he is also concerned. He said there is only one road in and out of the development and all residents will be impacted. He represents a contingent known as Agate Pass Environmental Consortium, and they just had a very successful negotiation with the tribal members on the fish pen issue. He said he doesn't have a problem with the legal aspects of the gambling facility, but his problem is regarding the impact of a large number of cars coming and going, about the tremendous number of suppliers and the danger of kids being run over by cars. He hopes this issue will be taken into consideration and that the Tribe will discuss these problems with the community.

Ms. Boushie responded, and said that Lyle Emerson George, Suquamish Tribal Chairman, will continue to meet with community members, as will Tony Foresman and Diana Kimmage(sp???) at any time that people want to meet and discuss these issues. She said the bottom line is that Tribe wants the facility to be successful and will select the best site to bring people in and out easily, safely and conveniently. They want the most accessibility so people will want to come to the facility, which is probably not going down a small road. Being on Highway 305 is a better location. She encouraged people to contact the Chairman to meet and discuss this.

Mr. Thompson said the bottom line is not just the Tribe's future but the future of the entire community. If the future of the facility doesn't work in a certain location for the Tribe, then the community is not going to work either. He said the bottom line includes the entire community.

Ms. Boushie said that Mr. Thompson has misunderstood what she had to say. She said the Tribe is always open to negotiation and to looking at what is the best for the community. When they talk about the impact of the casino and the quality of life issues, the Tribe is very concerned about the quality of life on the reservation, which has not been very good. The Tribe does not want to make it worse but wants to make it better and will work with the community. The past history of working with the community has not always been good, but they would like it to be a good operation that benefits everyone. She said they will be employing a lot of non-Indians and will bring economic benefit to the community in the right way.

Pierce Davis, community member and president of an owners association known as "APORTMA," or the Association of Property Owners and Residents of the Port Madison Area. This organization was created in the 1970s when the Suquamish Tribe made an attempt to assume total jurisdiction over everyone on the reservation, which did not go over very well with the community. He asked Director Miller about comments he's quoted as making in the Bremerton Sun newspaper saying, "nothing requires tribes to make such agreements with the state." **Director Miller** asked to see the article to determine the context in which he was quoted. **Chairman Tull** said that under the current federal law, tribes must have a compact with the state to operate Class III gaming. They can operate Class II gaming without a compact. He said Washington is the only state in the country that has taken the negotiations process as far and as seriously as it has. **Ms. Davis** asked if the state can initiate a change or revision to the compacts; **Director Miller** said there is a section on public health, safety, and welfare changes for unforeseen problems. Page 59 of the Suquamish compact includes such language.

Chairman Tull called for a break and said this issue will be continued and Mr. Davis's questions will be answered.

* * * * * **BREAK** * * * * *

Chairman Tull called the meeting back to order at 3:24 p.m. He said that Mr. Davis withdrew from further comments, so he left at the break. He indicated that he would address his comments at a more appropriate level.

Ms. Hansen, tribal attorney for Suquamish Tribe, said that if the phase one language is a stumbling block, she asks the Commission to approve the compact in some form so the Tribe can move forward with its plans for a casino. **Chairman Tull** said that, to the extent they can, the commissioners will express their pleasure with regard to each of these items. In instance where there is support for a particular

change, the tribes will have an opportunity to review any changes and decide whether they wish to accept it or re-enter negotiations.

Kathryn Nelson said the Port Gamble Tribe is very willing to accept -- and actually proposed -- the changed language originally. It is very important to the Tribe to have this matter concluded today. She said there has been a long period of time available for public comment and no substantive issues have been raised during that time or today. **Chairman Tull** said the case throughout communities have grave concerns about gambling in any setting and operated by any entity. It is difficult, under current federal law, for this Commission to simply ignore the rights and abilities of the tribes to gamble under certain conditions. The Commission is very pleased with the progress that the tribes and the state have made in trying to find a proper way to both regulate and conduct gaming on Indian reservations.

Director Miller said that regarding notification of interested parties, in addition to notification going to the Governor and both houses of the Legislature, the local caucus meeting was held in Poulsbo two-and-a-half months ago. Licensee organizations were briefed and notices were printed in the agency newsletter [and in the local newspapers]. There has been quite a bit of dissemination of information on these compacts and proposed changes.

COMPACT AMENDMENTS

Director Miller said the Lower Elwha Tribe requested today that their amendment also be heard at this hearing; however, the amendment did not go through the proper procedure to come before the Commission today and cannot be heard with the others at this time.

Director Miller said the seven compact amendments before the Commission today include changes to make these compacts consistent with the nature and scope contained in the two compacts presented today. The language is basically the same, and the concerns raised would be applicable in each one of these documents. The moratorium is involved in each one of these agreements and includes the phase I and phase II approach. The governments involved are the Tulalip, Nooksack, Swinomish, Chehalis, Upper Skagit, Jamestown, and Squaxin Island tribal governments. He said that during the last four to five months, staff has worked around the clock to complete each amendment with each tribal government involved.

Chairman Tull said that when Governor Lowry agreed to meet with the Tribes at their invitation to discuss concerns regarding the various compacts, one thing relayed to the Governor by the Commission was that the system works in general, and in general the types of issues addressed in the amendments are not as big of a concern as they originally were. He said he supports these types of revisions so long as the Commission is at the stage in the regulatory evolution to handle the increases. It should not be a local law enforcement concern.

CHEHALIS TRIBE

Harry Chesnin introduced Melvin Youchton, Chairman of the Chehalis Tribe.

Mr. Utton said the Tribe is working very closely with the Gambling Commission, and staff has been out twice to the site. There is a high unemployment rate in the counties for Indians and non-Indians both, and

they feel the changes will be beneficial to the entire community.

Mr. Chesnin said the staff of the Gambling Commission does a superlative job working with the compacted tribes, particularly when thorny issues develop. The Tribes feel comfortable discussing and resolving matters on a one-to-one basis with staff. He said with regarding to the issues raised regarding changes in the language, "providing no substantial or repeated violations" (replacing "and" with "or"), the Tribe has no problem with this change. However, they do have a problem with the placement of the period at the end of the portion of the sentence after "compact," the Chehalis Tribe's solution relates to a solution already arrived at in other amendments. Unlike the Chehalis compact amendment, the other amendments provide for the ability to go to the dispute resolution procedure if a problem arises at the six month period. He suggested that the Commission as a whole adopt the language proposed by Chairman Tull along with the change in language allowing the Chehalis compact to include a dispute resolution at six months if a problem were to arise. This would allow the Tribe not to accept and sign the compact amendment here today. This change is in paragraph R of the Chehalis compact, on the third page of the amendment. Any resulting dispute as a result of the six month review would go into the dispute resolution procedure.

Director Miller said it says "if the state gaming agency determines that the Class III operation has not satisfied the conditions," he said to delete the rest and pick up with, "any resulting dispute will be resolved through dispute resolution procedures set forth in section 12 of the compact." **Mr. Chesnin** said that would be fine. **Chairman Tull** said the changes should also be made where the language appears in other places. He said the portion to be deleted says, "then the review shall be continued to nine months at which time shall review..." **Mr. Chesnin** said taking out "nine months" indicates that this is a six month review, and any resulting disputes would be subject to the dispute resolution procedures. **Director Miller** said he is comfortable with this change because it was the state's original offer, to go to a nine month approach, but based on experience, six months is now adequate for a review.

UPPER SKAGIT TRIBE

Doreen Maloney of the Upper Skagit Tribe, said that Mr. Chesnin is also the attorney for the Upper Skagit Tribe. She said the Tribe concurs with the changes made by the Commission today, provided there are no further changes.

NOOKSACK TRIBE

Ross Cline, Chairman of the Nooksack Tribe, introduced himself. **Harry Cooper**, Chairman of the Nooksack Tribal Gaming Commission, said he is also chair of NAGT (National Association of Gaming Tribes). **Pete Villa**, Director of the Nooksack River Casino, introduced himself. **Mr. Cline** asked for clarification on the change from "and" to "or" regarding violations. **Chairman Tull** said that language change is on the second to the last page of the Nooksack amendment proposal in paragraph three (2), under "conditions." He said his proposal is to accept substituting the word "and" with "or," and to end the sentence a few words later after "compact." The sentence in paragraph three (2) reads "there have been no substantial or repeated violations of the compact." The rest of the sentence after "compact." would be stricken. The review and dispute resolution opportunities just discussed in conjunction with the previous two amendments are already in place with Nooksack.

Director Miller said the Commission has no intention of making any tribe wait beyond the six months stated in the compact for phase one.

Mr. Cooper asked when the amendment could be implemented if passed today. **Chairman Tull** said....

Mr. Cooper asked what would happen if they decided to operate until 4:00 a.m. as long as it's worked out with the county sheriff.

Sen. Prentice said that means it's not really automatic; if the Tribe

Director Miller gave his assurance that the review will begin as soon as the amendment is implemented; the Commission will not wait until six months have passed.

Pete Villa said

Sen. Prentice asked how many members the Nooksack Tribe has; **Mr. Cline** said 1,350, with 600 residing in the city ...

Sen. Prentice said

Mr. Cooper said

SQUAXIN ISLAND TRIBE

JAMESTOWN S'KLALLAM TRIBE

Ron Allen, Chairman of the Jamestown Tribe, thanked the Commission staff for its cooperation in dealing with He said Lorraine Loomis is present and will testify that the increased limits will enable them to attract a larger market to their casino. If the Tribe was in this just for the money, they would just put up little warehouses, but they intend to use their resources in a way that

Chairman Tull asked

Jan 31 soft..., Jan. Feb 4th grand opening

SWINOMISH TRIBE

Lorraine Loomis, tribal senate member, brought a graph showing how the new \$100 limits have helped the Tribe regain some revenue after the initial leveling off following the opening.

They have purchased ... in goods from the community for the operation. They have put a lot of effort into this and have worked cooperatively with the Commission. She urged the Commission to allow the Tribe to implement the new limits immediately if the amendment is passed today.

Doreen Maloney, Upper Skagit Tribe, complimented the Commission staff, including

Director Miller recognize the Tribal Gaming Unit employees that are present, Diane Dodson, Fred Wilson, Jim Goble and Mike Tindall.

Ms. Loomis said the Tribe had a very good meeting Sheriff \$58,000, fire district #13 \$20,000, Anacortes EMS \$5,000 and the Highway 20 Interchange \$20,000, Anacortes Police Department and the LaConner Police \$5,000 and \$10,000 will stay in the Tribe's reserve.

GENERAL COMMENTS

Michelle Hansen said the Suquamish Tribe has not had a relationship with the regulatory staff of the Gambling Commission staff, and she has come up with new language that may please everyone. "That there have been no violations of the compact that are substantial or due to repetition are deemed material." She said that flows with the

Chairman Tull said that is a further focus on the issue and he is satisfied with this change for the Suquamish compact.

Harry Cooper said that, regarding violations, the Nooksack has not had any serious incident

Chairman Tull said there has been a good discussion of key issues, and there have been no major issues that have not been addressed. He opened up the comment portion to the Commission

SUQUAMISH TRIBE AND PORT GAMBLE TRIBE COMPACTS

Commissioner Graham moved for the acceptance of the two compacts; **Senator Prentice** seconded the motion. **Chairman Tull** restated the motion as **Sen. Prentice** stressed to the Tribes that this is a new relationship for these tribes and that it may not always be.... She said ... **Chairman Tull** asked Ms. Nelson if she is in agreement

Vote taken, motion carried with four aye votes. The compacts will go forward to the Governor for consideration. The Tribes should keep contact with Carrie Sutherland; **Director Miller** said these will be

COMPACT AMENDMENTS

Chairman Tull said

Commissioner Graham asked if the wording presented by Michelle Hansen would be appropriate for these amendments; **Mr. Chesnin** stated that both tribes would prefer that language. **Mr. Cline** said the Nooksack Tribe has no problem with that language either.

Commissioner Graham moved that the language be placed in all the amendments and moved for approval with the changes; **Commissioner Mosbarger** seconded the motion. **Chairman Tull** said the Commission is aware of the comments and concerns made by members of the Legislature regarding these, ... and he is ready to explain his actions with regard to the

Director Miller said that the Tulalip Tribe and Squaxin Island Tribe compact amendments...

Vote taken, motion carried with four aye votes. These proposed amendments will be forwarded to Gov. Lowry for consideration.

NOTE: THESE PRINTED MINUTES PLUS THE TAPES CONSTITUTE THE FULL MINUTES.

Susan D. Green
Executive Secretary